



February 7, 2014

Judith Enck, Regional Administrator
USEPA REGION 2
290 Broadway
Mail Code: 26TH FL
New York, NY 10007-1866

RE: Passaic River Superfund Clean up

Dear Administrator Enck,

This year marks the thirtieth anniversary of the Diamond Alkali designation as a Superfund site. For nearly three decades, the residents of New Jersey have suffered from the stigma of a polluted river, been denied the full use and enjoyment of the river and continue to be exposed to the serious risks resulting from dioxin contamination in the river. After years of serving on the Passaic River Community Advisory Group (CAG) and more than 25 years worth of studies, research and modeling, **we demand the immediate release of the Focused Feasibility Study (FFS) and the Proposed Plan.**

For months, USEPA representatives have discussed the impending release of the FFS. We submitted extensive comments to the National Remedy Review Board (NRRB) in June of 2013 detailing our clear preferences for a *bank to bank clean up with off-site disposal* – not a CAD or thermal treatment options or hot spot removal – but a full clean up similar to what was decided on for the Hudson River and the Gowanus Canal. Our communities should not be treated like second class citizens in the Superfund process. Newark has suffered long enough as an Environmental Justice community from toxic pollution and we will not tolerate any further dumping in our backyards whether it's in the bay or on land. We know that the NRRB considered all the comments and already weighed in with their feedback on the FFS. At the last few CAG meetings, EPA staff have assured CAG members and residents that the NRRB comments were taken into consideration and the FFS was ready and due to be released shortly. At our January CAG meeting, we were told that January 30th was a possible release date and our committees met and worked hard to prepare for what we anticipated would be public hearings and outreach efforts related to the release of the FFS. We now have an indefinite delay in the release of the FFS and Proposed Plan. What is the point of having a Superfund-authorized CAG that meets on a monthly basis, only to have our voices shut out when it comes to any actual decision making?

What's most alarming is our understanding that the Cooperating Parties Group (CPG) has been conducting extensive lobbying at USEPA's Headquarters in recent weeks, meeting with US EPA representatives to try and continue the decades long delay of a cleanup process. Our communities should not have to wait on the sidelines any longer while polluters responsible for this clean up attempt to exert their significant financial and political resources to delay or impede a transparent and public discussion of the FFS.

There are 70 companies in the CPG, many of them Fortune 500 companies who will be spreading out the cost of the cleanup among themselves, over several years. These same companies financially benefited by not properly disposing of their waste over many, many years - dumping it right into the Passaic River. Yes, this will be a costly cleanup, but the cost of doing nothing less than a full cleanup is even higher - to public health, the environment and the economies of these river communities. **Enough is enough -- When will your agency will finally take ACTION and release the FFS?**

We respectfully request a meeting with you and US EPA Administrator Gina McCarthy to discuss these concerns at your earliest convenience.

Sincerely,

Ana I. Baptista, Ph.D.
Co-Chair Passaic River CAG

Debbie Mans, Esq.
Co-Chair Passaic River CAG

Cc
Senator Cory Booker
Senator Robert Menendez
Congressman Bill Pascrell
Congressman Donald Payne
Congressman Albio Sires
Walter Mugden, USEPA, Director, Emergency and Remedial Response Division